

REMARKS

The foregoing amendments are proposed under 37 CFR 1.116 in view of the implied suggestion on page 3 under paragraph 6(b) of the current final Office action, derived from the comment that: "the scope of the claims does not clearly describe from what strength the strength is increased and under what ductility the ductility is maintained". Accordingly, amendment of claims 2, 6 and 8 is proposed so as to more explicitly specify the extent to which the alloy in question is increased in strength and improved in ductility when cast, utilizing data extracted from page 2, lines 17-19 and page 3, lines 18-22 of the original specification. Entry of such claim amendments is therefore believed to be in order.

Also for reasons hereinafter pointed out in regard to issues addressed for the first time in the current final Office action, entry of the proposed amendments and favorable reconsideration of the final rejections of claims 1-3 and 5-8 under 35 U.S.C. 103(a) as now stated is in order.

First, according to pages 2-3 of the final Office action claims 1-3 and 5-8 are again rejected "for the same reasons as set forth in the last Office action". However, the last Office action referred to was held to be incomplete and premature because the Examiner did not point out and state his position on several issues raised by applicants, according to the Feb. 11, 2002 decision by the Director of Technology Center 1700. Apparently in view of such decision, new reasons to support the rejections are introduced on pages 3-4 of the final Office action as responses to applicants' previous arguments of record, which are different from the reasons heretofore set forth.

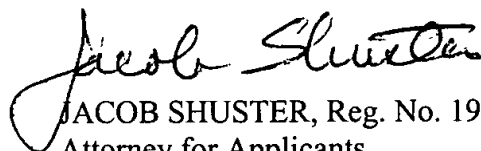
On pages 3-4 of the current final Office action, the Examiner allegedly addresses for the first time certain asserted claim distinctions over the applied prior art references heretofore pointed out of record by applicants. In regard one of such claim distinctions, it is the Examiner's stated position that the claims do not clearly describe from what strength the alloy strength is

increased and under what ductility is maintained", aside from repeating previous assertions that the claimed distinction is "expected" from teachings in the Nakamori and Combs patents of record. Such speculation as to what is "expected" is not however based on any explicit statements in such prior art references from which evidentiary factual support may be derived.

Also in regard to other claim distinctions, the repeated rejections previously held to be incomplete on the question of obviousness, still fail to meet the current case law requirement that some explicit statements in the applied references must be referred to as a factual basis for support of a legal judgment under 35 U.S.C. 103(a).

In view of the foregoing situation, entry of the amendments now proposed and favorable reconsideration of the present final rejections is expected if the finality of the current Office action is not withdrawn.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Jacob Shuster".

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MARKED-UP VERSION OF AMENDMENTS
TO THE CLAIMS

Rewrite claims 2, 6 and 8 as follows:

2. (Amended) The method as defined in claim 1, wherein said metal is nickel and the corrosion resisting material forming the component is chromium constituting between 48% and 52% of weight of the alloy as the high content thereof whereby said ductile alloy is boosted to said high strength by said casting, from a yield strength of less than 145 ksi.
6. (Amended) The method as defined in claim 5, wherein said base metal is nickel, the corrosion resisting material is chromium and the inert cover gas is nitrogen selected to effect said increase in strength of the ductile alloy from less than 145 ksi, with ductility improved from less than 25% tensile elongation.
8. (Amended) The method as defined in claim 7, wherein said base metal is nickel, said corrosion-resisting material is chromium and said inert cover gas is nitrogen selected to achieve said high strength of the alloy when cast onto said surface.

6. The method as defined in claim 5, wherein said base metal is nickel, the corrosion resisting material is chromium and the inert cover gas is nitrogen selected to effect said increase in strength of the ductile alloy from less than 145 ksi, with ductility improved from less than 25% tensile elongation.

8. The method as defined in claim 7, wherein said base metal is nickel, said corrosion-resisting material is chromium and said inert cover gas is nitrogen selected to achieve said high strength of the alloy when cast onto said surface.